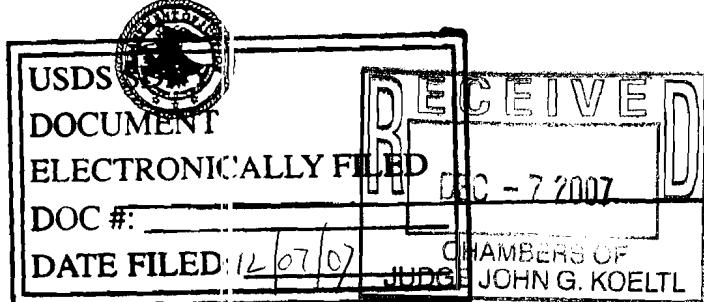


U.S. Department of Justice

United States Attorney
Southern District of New York



86 Chambers Street
New York, New York 10007

December 6, 2007

BY FACSIMILE

Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

APPLICATION GRANTED
SO ORDERED

John G. Koeltl
John G. Koeltl, U.S.D.J.

Re: Aguilar v. Immigration and Customs Enforcement, et al.,
07 Civ 8224 (JGK) (FM)

Dear Judge Koeltl:

We write respectfully to request permission to file an oversized brief of no more than 48 pages in support of the Government's partial motion to dismiss plaintiffs' amended complaint. The Government's motion is due to be served and filed tomorrow, December 7, 2007. We also respectfully request that the Court hear oral argument on the Government's motion.

As the Court is aware, the Government's motion will seek dismissal of plaintiffs' claim for injunctive relief for lack of standing and failure to state a claim for equitable relief. Because standing determinations are highly fact specific, thorough briefing has required a detailed analysis of a number of leading cases addressing circumstances similar to those here. In addition, the three law enforcement operations at issue were conducted by two distinct components of Immigration and Customs Enforcement, each of which had distinct policies and practices governing the operations, a description of which the Government believes will assist the Court in resolving the motion. Finally, in the interest of efficiency, we will include in the same submission briefing in support of a related motion seeking a limited stay of discovery, and that briefing has increased the total number of pages.

Honorable John G. Koeltl
December 6, 2007
Page 2

Thank you for your consideration of these requests.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

Elizabeth Wolstein
SHANE CARGO
ELIZABETH WOLSTEIN
Assistant United States Attorneys
Tel. No.: (212) 637-2711/2743
Fax No.: (212) 637-2786/2702

cc: (by facsimile)
Donna Gordon, Esq.
Patrick Gennardo, Esq.